

Serial No. 09/863,135

HRT0241

REMARKS

Claims 1, 3-17 and 20 remain in this application. Claims 18 and 19 are cancelled. Claims 1, 3-17 and 20 are amended. Applicants thank the Examiner for the indication that claim 8 would be allowable if rewritten to include the limitations of the base claim and any intervening claims.

The Examiner rejected claims 1-7, 9-17 and 20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 and 9-18 of U.S. Patent No. 5,807,318. While Applicants do not agree that claim 2 of the application is "anticipated" by claim 2 of the 318 patent, Applicants have nevertheless submitted a terminal disclaimer for the above patent to obviate the rejection, and request the Examiner to withdraw the rejection.

not submitted

The Examiner rejected claims 1, 5, 13 and 14 under 35 USC § 103(a) as being unpatentable over Wright (U.S. Patent No. 5,135,484) or, in the alternative, Schjeldahl (U.S. Patent No. 4,456,000). Applicants have cancelled claim 2 and have amended claim 1 to add the limitations of claim 2 to claim 1. Applicants have further amended claims 3, 4, 6, 8 and 9 to place them in independent form by adding the elements of claim 1. Applicants submit that claims 1, 3-17 and 20, as amended, are allowable over Wright and Schjeldahl and request that the rejection be withdrawn.

Applicants respectfully request that the Examiner contact the undersigned in the event a discussion would advance the prosecution of this application.

Respectfully submitted,

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Dated: January 15, 2004